

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

CHRISTOPHER BARBER,)
Plaintiff,) Case No.
v.)
THE LAW OFFICES OF MITCHELL) St. Louis County Associate Circuit Court
D. BLUHM & ASSOCIATES, LLC,) Case No. 13SL-AC40258
Defendant.) JURY TRIAL DEMANDED
)

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, Defendant The Law Offices of Mitchell D. Bluhm & Associates, LLC (“MBA”), by its attorneys, hereby removes this action from the Circuit Court of St. Louis County, Missouri to the United States District Court for the Eastern District of Missouri. In support of this Notice of Removal, MBA states as follows:

1. On or about December 23, 2013, plaintiff, Christopher Barber, originally commenced this action by filing a Petition for Damages against MBA in the Circuit Court of St. Louis County, Missouri, where it is presently captioned *Christopher Barber v. The Law Offices of Mitchell D. Bluhm & Associates, LLC*, Case No.: 13SL-AC40258. No further proceedings before the State court have occurred.
2. In the Petition for Damages, plaintiff alleges federal statutory causes of action against MBA. Plaintiff accuses MBA of violating the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. §1692 et seq. and the Telephone Consumer Protection Act (“TCPA”), 47 U.S.C. §227 et seq. Attached as “Exhibit A” is a copy of the pleadings filed in the St. Louis County Associate Circuit Court.

3. This Court has original federal question jurisdiction over plaintiff's FDCPA and TCPA claims pursuant to 28 U.S.C. §1331, 28 U.S.C. § 1441 and 15 U.S.C. § 1692(k) in that the claims are founded on a claim or right arising under the laws of the United States.

4. MBA received the Petition for Damages on or about January 10, 2014. This Notice of Removal is timely, having been filed within thirty (30) days of the date on which MBA received the petition.

5. Written notice of this Notice of Removal of this action is being immediately provided to the Circuit Court of St. Louis County, Missouri.

6. Written notice of this Notice of Removal of this action is being caused to be served on counsel for the plaintiff.

WHEREFORE, defendant The Law Offices of Mitchell D. Bluhm & Associates, LLC gives notice that this action is removed from the 21st Judicial Circuit Court of St. Louis County, Missouri to the United States District Court for the Eastern District of Missouri.

/s/ Michael S. Hamlin
Michael S. Hamlin #52972MO
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Copy of the foregoing mailed this 29th day of January, 2014 to Mr. Richard A. Voytas, Jr., Mr. Nathan K. Bader and Ms. Jennifer R. Deschamp, Attorneys for Plaintiff, One North Taylor Avenue, St. Louis, Missouri 63108.

/s/ Michael S. Hamlin